

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FUBOTV INC., et al.,

Plaintiffs,

-against-

THE WALT DISNEY COMPANY, et al.,

Defendants.

24-CV-01363 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

Attached hereto this Order is Court Exhibit 1, which is the consent list submitted by the parties to the Court of all exhibits admitted into evidence during the preliminary injunction hearing (the “Hearing”) held in this matter from August 6–12, 2024.

The parties are HEREBY ORDERED to meet and confer regarding unsealing of (i) the transcript of the Hearing, and (ii) the underlying documents employed or referenced therein and, **by no later than August 23, 2024**, identify any portions of the Hearing transcript and exhibits that the parties jointly agree should remain sealed. The parties shall also identify any portions as to which there is disagreement. For any testimony provided by third-party witnesses (or documents produced by third parties) to this litigation, *e.g.*, DIRECTV, the consent of those third parties shall be obtained before any such portion of the transcript or relevant document is designated to be unsealed.

Any testimony provided in open court at the Hearing shall be considered by the parties to be presumptively unsealed. Furthermore, any portions of the Hearing transcript or portions of documents which the Court has included unredacted in the public Order and Opinion at Dkt. No. 290 shall likewise be considered presumptively unsealed. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 121 (2d Cir. 2006) (“[W]here documents are used to determine litigants’ substantive legal rights, a strong presumption of [public] access attaches.”) Any portions of the Order and Opinion which the Court has redacted shall remain sealed pending consideration of the parties’ submissions directed above and further order of the Court.

Dated: August 16, 2024
New York, New York

SO ORDERED.


MARGARET M. GARNETT
United States District Judge

COURT EXHIBIT 1

fuboTV Inc., et al. v. The Walt Disney Company, et al.
Civil Action No. 1:24-cv-1363
Admitted Exhibit List

Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
JX001	Email from G. Schanman to J. Blum re: Video Services Information, with attachment				8/12
JX002	Email from A. LeCuyer to H. Akhavan re: Programming Deep Dive on 1/5/24, with attachment				8/7
JX003	Email from J. Lancer to D. Espinosa, et al. re: A debate		Pls.' Obj.: Hearsay		8/12
JX004	Astound Broadband - Global Agreement 1-1-23				8/12
JX005	First Amendment to Affiliation Agreement between Fox and Cox Communications				8/12
JX006	DISH-Fox Global Affiliation Agreement				8/12
JX007	Third Amendment to Affiliation Agreement between Fox and Mediacom				8/12
JX008	Global Affiliation Agreement between Fox and Verizon				8/12
JX009	Sixth Amendment to Fox/YT Affiliation Agreement				8/12
JX010	Email from J. Nallen to M. Biard re: Potential partnership		Pls.' Obj.: Hearsay		8/12
JX011	Project Raptor OOC Approval Request Deck		Pls.' Obj.: Hearsay		8/12
JX012	Project Raptor: Future of Paytv and Implications of Flagship and Raptor Deck		Pls.' Obj.: Hearsay		8/12
JX013	Email from J. Lancer to K. Menzier re: Favor for raptor, with attachments		Pls.' Obj.: Hearsay		8/12
JX014	Email from J. Nallen to J. Lancer re: Project Raptor: OOC Approval Request [Approval Requested], with attachment		Pls.' Obj.: Hearsay		8/7
JX015	Venu Deck		Pls.' Obj.: Hearsay		8/12
JX016	Declaration of Alberto Horihuela in Support of PI Motion		Defs.' Obj: 802		8/12
JX017	Digital MVPD Affiliation License Agreement between TWDC and Fubo				8/12
JX018	Defendant Channel List Excel				8/12
JX019	Full Channel List 04012024 Excel				8/12

¹ "JX" exhibits are joint exhibits, "PX" exhibits are Plaintiffs' exhibits and "DX" are Defendants' exhibits.

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JX020	Percentage Hours by Channel Excel				8/7
JX021	Email from S. Miller to T. Mathers re: Renewal		Defs.' Obj.: 802, 805		8/6
JX022	JV Impact Excel Spreadsheet				8/12
JX023	Fubo Estimated Impact of JV on NA Streaming Business (2024 & 2025) Deck				8/8
JX024	Email from T. Mathers to L. Morrissey, et al. re: Disney Discussion Topics		Pls.' Obj.: Hearsay		8/6
JX025	Email from T. Mathers to L. Morrissey, et al. re: Revised Disney draft, with attachments		Pls.' Obj.: 602 Defs.' Obj.: 802		8/12
JX026	Email from T. Mathers to L. Morrissey, et al. re: Revised Disney Agreement, with attachments		Pls.' Obj.: 602		8/6
JX027	Consumer Receptivity to New Sports Bundling Services		Defs.' Obj.: 802		8/8
JX028	Updated JV Baseline Excel				8/8
JX029	OM 2024_Budget Media 0131_20240618				8/12
JX030	Percent first views by Network Excel Spreadsheet				8/12
JX031	FUBO OM 2024_Budget Media 0131 JV Excel		Defs.' Obj.: 802		8/12
JX032	Fubo Subscriber Comparison Excel				8/12
JX033	Email from D. Pietrycha to C. Kohl and A. Izaguirre re: Sports JV, with attachment		Pls.' Obj.: Hearsay Defs. Obj.: 602, 802		8/12
JX034	Email from A. Matts to D. Pietrycha re: Sports JV Subscriber Impact - CDG, with attachments		Pls.' Obj.: Hearsay		8/12
JX035	Email from J. Zasowski to S. Breen re: In-Person - LRP/AOP and Distribution Strategy Discussion, with attachment	Pls.' Obj.: 901/902	Pls.' Obj.: Hearsay		8/12
JX036	Email from S. Flood to S. Breen, et al. re: Fubo 6.30 Proposed Executive Summary, with attachment		Pls.' Obj.: Hearsay		8/12
JX037	Email from R. Thapar to S. Breen re: can you send me the finished doc we were just reviewing, with attachment		Pls.' Obj.: Hearsay		8/12

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JX038	Email from J. Connolly to C. LaPlaca re: Charter IR deck, with attachment		Pls.' Obj.: Hearsay		8/12
JX039	Email from S. Breen to J. Connolly re: Fubo 7/21 Proposal Summary, with attachment		Pls.' Obj.: Hearsay		8/12
JX040	Email from S. Breen to J. Connolly re: Fubo Deal Announcement- Executive Summary, with attachment		Pls.' Obj.: Hearsay		8/12
JX041	Email from J. Connolly to J. Landgraf re: notes, with attachments		Pls.' Obj.: Hearsay		8/12
JX042	Email from J. Earley to A. Bergman, et al. re: Hulu Live + TV Carriage, with attachment		Pls.' Obj.: Hearsay, 602		8/12
JX043	Non-Binding Term Sheet				8/12
JX044	Flagship DTC Update Slide Deck				8/7
JX045	Joint Venture Term Sheet				8/7
JX046	ESPN 5-Year Plan - Corporate Preview Deck				8/7
JX047	Master MVPD License Agreement between TWDC and Altice				8/12
JX048	Master MVPD License Agreement between TWDC and Charter				8/12
JX049	Primary MVPD License Agreement between TWDC and Comcast				8/12
JX050	Master MVPD License Agreement between TWDC and Cox				8/12
JX051	Digital MVPD Affiliation License Agreement between TWDC and DirecTV				8/12
JX052	Digital MVPD Affiliation License Agreement between TWDC and Fubo				8/8
JX053	Digital MVPD Affiliation License Agreement between TWDC and Hulu				8/12
JX054	Master MVPD License Agreement between TWDC and Mediacom				8/12
JX055	Digital Affiliation License Agreement between TWDC and Google				8/12
JX056	Email from K. Shirley to J. Perrette, et al. re: Project Zenith: Initial research findings, with attachment		Pls.' Obj.: Hearsay		8/9
JX057	Domestic Distribution & Ad Sales Deck		Pls.' Obj.: Hearsay		8/12
JX058	Raptor Slide Deck		Pls.' Obj.: Hearsay		8/9

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JX059	Project Raptor Overview Slide Deck		Pls.' Obj.: Hearsay		8/9
JX060	Warner Bros. Discovery - Board Update: Streaming Deck		Pls.' Obj.: Hearsay		8/12
JX061	The Walt Disney Company Q1 FY24 Earnings Conference Call		Pls.' Obj.: Hearsay		8/12
JX062	Fubo Annual Report, 2022				8/6
JX063	Fubo 2023 Annual Report				8/12
JX064	Declaration of Anthony Petitti in Support of Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction		Pls.' Obj.: 802, 805		8/9
JX065	Renewal Agreement				8/12
JX066	OTT Distribution Agreement				8/12
JX067	OTT Distribution Agreement				8/7
JX068	Renewal Agreement				8/7
JX069	Affiliate Agreement between fuboTV Inc. and Turner Network Sales, Inc.				8/12
JX070	Affiliate Agreement between fuboTV Inc. and Turner Network Sales, Inc.				8/9
PX001	DirecTV Slides titled: DirecTV Services, JV Channel Bundling Requirements, JV Channel Packaging Requirements on OTT, JV Channel Minimum Penetration and Required Packages on OTT, JV Partner Channels in Current DirecTV Packages Bundling + Packaging + Minimum Penetrations	901	602; 802		
PX002	DirecTV Slides titled: DirecTV Packaging "Then" and "Now," Programmers Dictate Packaging Uniformity, Multipronged Restrictions Perpetuate Oversize Bundles, Competitive Packaging Comparison, Evolution of OTT Packaging Constraints, Competitive Landscape	901	602; 802		
PX003	CX&Research, "Inflow/Outflow Research April Results" presentation (May 2024)	901	602; 802; 805		
PX004	CX&Research, "Inflow/Outflow Research January Results" presentation (Feb. 2024)	901	602; 802; 805		
PX005	CX&Research, "Inflow/Outflow Research March Results" presentation (Apr. 2024)	901	602; 802; 805		
PX006	EchoStar Viewership Analysis & Excess Cost Calculation (Apr. 17, 2024)		602; 1006		
PX007	DISH, "Disney-FOX-WBD JV" presentation (Feb. 28, 2024)				

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PX008	Email from A. LeCuyer to G. Schanman et al. re. talking points for potential conversation with Bruce				
PX009	Email from M. Oria to G. Schanman et al. re. Programming Update: DEMN/Fox/WBD Sports JV				
PX010	Email from J. Rosengard Hill to G. Schanman re. Impact of New Sports Streaming Service		802		
PX011	Email from G. Schanman to H. Akhavan et al. re. Pending sports offering from programmers - to be announced on 2/6				
PX012	Email from M. Cyran to B. Tauber et al. re. NFL Update				
PX013	Email from T. Wise to A. Ahmed et al. re. Video Services Weekly Staff Meeting		Imaging problem at ECHO0003181-3182		
PX014	Email from J. Lancer to S. Tomsic re. Call with SVR		602		
PX015	Email from J. Nallen to J. Lancer et al. re. Marketing for Raptor		106		8/7
PX016	Email from D. Espinosa to J. Lancer et al. re. Project Raptor - Preliminary IR / RP Q&A				8/12
PX017	Email from J. Nallen to D. Espinosa et al. re. Final Press Release		106		
PX018	Email from D. Espinosa to D. Wong et al. re. Project Raptor Fubo Seasonality				8/12
PX019	Email from P. Cheesbrough to J. Nallen et al. re. Raptor / Fox Sports				8/12
PX020	Email from J. Nallen to S. Tomsic et al. re. Raptor Business Plan November 13 vSent				8/12
PX021	Email from J. Nallen re. Raptor CEO Bonus Proposal				
PX022	Email from P. Cheesbrough to J. Nallen				
PX023	Email from P. Cheesbrough to J. Nallen et al. re. Zenith readout				
PX024	Email to S. Tomsic et al. re. A debate				8/7
PX025	Email from D. Espinosa to J. Lancer et al. re. Project Raptor - Preliminary IR / RP Q&A				
PX026	Email from D. Espinosa to J. Fang et al. re. Project Raptor - INTERNAL Talking Points				8/9
PX027	Email from P. Cheesbrough to J. Nallen et al. re. Fubo TV Deck				
PX028	Email from J. Lancer to T. Najera et al. re. Raptor		106		8/12

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Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
PX029	Email from J. Nallen to B. Nick et al. re. Deadline: ESPN is “A Great Product”, Fox Corp. CFO Steve Tomsic Says, But It’s Only “A Sliver of Sports” Given Fragmentation In U.S. Market		805		
PX030	Affiliation Agreement between Fox Cable Network Services, LLC and CSC Holdings, LLC (Oct. 1, 2014)				
PX031	Amendment to Fox News Channel & Fox Business Network Affiliation Agreements between Fox News Network, L.L.C. and CSC Holdings, LLC (Oct. 1, 2014)				
PX032	Affiliation Agreement between Fox Cable Network Services, LLC, Fox News Network, L.L.C and Grande Communications Networks, LLC (Jan. 1, 2020)				
PX033	Affiliation Agreement between Fox Cable Network Services, LLC, Fox News Network, L.L.C and RCN Telecom Services, LLC (Jan. 1, 2020)				
PX034	Affiliation Agreement between Fox Cable Network Services, LLC, Fox News Network, L.L.C and Wave Division Holdings, LLC (Jan. 1, 2020)				
PX035	Affiliation Agreement between Fox Cable Network Services, LLC, Fox News Network, L.L.C and Spectrum Management Holding Company LLC (Oct. 16, 2019)				
PX036	Affiliation Agreement between Fox Cable Network Services, LLC, Fox News Network, L.L.C and Cox Communications, Inc. (Oct. 1, 2019)				
PX037	Amended and Restated Affiliation Agreement between Fox Cable Network Services, LLC and Hulu (Dec. 20, 2019)				
PX038	Affiliation Agreement between Fox Cable Network Services, LLC, Fox Television Holdings, Inc. and Mediacom LLC, Mediacom Broadband LLC (Apr. 1, 2014)				
PX039	First Amendment to Affiliation Agreement between Fox Cable Network Services, LLC, Fox Television Holdings, Inc. and Mediacom LLC, Mediacom Broadband LLC (Apr. 1, 2018)				
PX040	Second Amendment to Affiliation Agreement between Fox Cable Network Services, LLC, Fox Television Holdings, Inc. and Mediacom LLC, Mediacom Broadband LLC (Oct. 30, 2019)				
PX041	Global Master Affiliation Agreement between Fox Cable Network Services, LLC, Fox News Network, L.L.C and National Cable Television Cooperative, Inc. (Jan. 1, 2020)				
PX042	Amendment No. 1 to Affiliation Agreement between Fox Cable Network Service, LLC and Verizon Corporate Services Group, Inc. (Jan. 1, 2016)				

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Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
PX043	Amendment No. 2 to the Affiliation Agreement between Fox Cable Network Services, LLC, Fox Television Holdings, LLC and Verizon Corporate Services Group, Inc. (Aug. 1, 2019)				
PX044	Amendment No. 3 to the Affiliation Agreement between Fox Cable Network Services, LLC, Fox News Network, L.L.C., Fox Television Holdings, LLC and Verizon Corporate Services Group, Inc. (Aug. 1, 2022)				
PX045	Second Amendment to Fox/YT Affiliation Agreement between Fox News Network, L.L.C., Fox Television Holdings, LLC, Fox Cable Networks Services, LLC, and Google Inc. (July 30, 2018)				
PX046	Affiliation Agreement between Fox Cable Network Services, LLC, Fox News Network, LLC, and Fox Television Holdings, LLC and Google Inc. (Dec. 17, 2016)				
PX047	Third Amendment to Fox/YT Affiliation Agreement between Fox News Network, L.L.C., Fox Television Holdings, LLC, Fox Cable Networks Services, LLC, and Google LLC (Nov. 30, 2018)				
PX048	Fourth Amendment to Fox/YT Affiliation Agreement between Fox News Network, L.L.C., Fox Television Holdings, LLC, Fox Cable Networks Services, LLC, and Google LLC (Aug. 30, 2019)				
PX049	Fifth Amendment to Fox/YT Affiliation Agreement between Fox News Network, L.L.C., Fox Television Holdings, LLC, Fox Cable Networks Services, LLC, and Google LLC (June 10, 2021)				
PX050	Email from D. Wong to R. Gottlieb et al. re. Raptor Research				8/9
PX051	Email from J. Nallen to L. Murdoch re. Talking points for Iger/Zaslav next week				
PX052	Email to S. Tomsic et al. re. Raptor call		106		8/7
PX053	Email to J. Lancer et al. re. Raptor call		106		8/7
PX054	Email from J. Nallen to D. Espinosa et al. re. Raptor Covered Distributor				
PX055	Email from J. Lancer to A. Reiss et al. re. Raptor - Kicker Arguments				8/12
PX056	Email from L. Murdoch to J. Nallen et al. re. Directv				
PX057	Email from M. Mulvihill to E. Shanks re. FOX-ESPN Consumption		602		
PX058	Email from E. Shanks to J. Lancer et al. re. Branding deck				
PX059	CY 2023 Telecast Counts on Nielsen Nationally Measured Entities (May 8, 2024)		602		8/9

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Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
PX060	Direct Message between A. Croxson, J. Lancer, and M. Park		602; 802		
PX061	Direct Message between D. Wong and B. O'Neal		602; 802		
PX062	Direct Message between BJ Elias and D. Espinosa				
PX063	Email from J. Lancer to T. Najera et al. re. copy for the drive				8/12
PX064	Email from E. Shanks to J. Lancer et al. re. Branding deck				8/12
PX065	Email from T. Najera to A. Reiss et al. re. Project Raptor Overview Materials				8/12
PX066	Email from J. Lancer to A. Reiss et al. re. Raptor - Kicker Arguments				8/12
PX067	Email from J. Nallen to J. Lancer et al. re. Project Raptor: OOC Approval Request [Approval Requested]				8/12
PX068	Email from P. Cheesbrough to L. Murdoch et al. re. Zenith Research Headlines and Deck				8/12
PX069	Employment Agreement between Fox Cable Network Services, LLC and Pete Distad (March 15, 2024)		602		8/12
PX070	Email from D. Espinosa to A. Reiss re. Raptor proposed Hulu distribution		106		
PX071	Email to B. Nick et al. re. Raptor release		106		
PX072	Email from J. Lutzky to D. Espinosa et al. re. Updated Budget Presentation				
PX073	Email from C. Lebowitz to D. Espinosa et al. re. Risks & Opportunities Budget Slide				
PX074	Email from M. Mulvihill to E. Shanks re. Project Raptor Preliminary Governance + Structural Considerations		602		
PX075	Fox, "Project Raptor OOC Approval Request" presentation (Jan. 2024)				
PX076	Fox, "Project Raptor OOC Approval Request" presentation (Jan. 2024)				
PX077	Email from P. Cheesbrough to L. Murdoch et al. re. Summary of Raptor Plan and Risks				
PX078	Email from S. Tomsic to L. Murdoch et al. re. Board Slides				
PX079	Email from S. Tomsic to J. Nallen re. Raptor				8/7
PX080	Email from S. Tomsic to L. Murdoch et al. re. Board Slides				
PX081	Message forwarding Fox MMM Materials (July 24, 2023)				8/7
PX082	Email from J. Lancer to J. Nallen et al. re. Raptor Model Discussion				
PX083	Email from J. Lancer to J. Nallen et al. re. Raptor Release				
PX084	Email from G. Brown to L. Murdoch et al. re. Q2 Fiscal 2024 Executive Pack				

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Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
PX085	Email from J. Lancer to J. Nallen et al. re. Raptor Strategic Considerations				
PX086	Email from M. Mulvihill to P. Distad re. 2023 Sports Consumption Summary				8/9
PX087	Consumption summary FOX-Disney-Turner				8/12
PX088	Venu presentation (July 1, 2024)				8/12
PX089	Venu, “Venu Marketing Launch Strategy” presentation (July 15, 2024)		602		8/9
PX090	Venu advertisement (July 19, 2024)		106; 602		
PX091	BA Viewership Pulls for Legal - Privileged and Confidential (Exhibit 9 to the Expert Declaration of Jonathan Orszag in Support of Fubo’s Motion for Preliminary Injunction)		602		
PX092	Digital MVPD Affiliation License Agreement between FuboTV Media Inc. and Disney Affiliates (Aug. 1, 2023) (Exhibit 10 to the Expert Declaration of Jonathan Orszag in Support of Fubo’s Motion for Preliminary Injunction)				
PX093	Affiliation Agreement between fuboTV, Inc. and Fox Cable Network Services, LLC and Affiliates (Nov. 15, 2016) (Exhibit 11 to the Expert Declaration of Jonathan Orszag (Part 1) in Support of Fubo’s Motion for Preliminary Injunction)		106		
PX094	Fox Corporation, “Fox Corporation Company Conference Presentation,” at Morgan Stanley Technology, Media & Telecom Conference (Mar. 4, 2024) (Exhibit 12 to the Expert Declaration of Jonathan Orszag in Support of Fubo’s Motion for Preliminary Injunction)				
PX095	Fox Corporation, “2022 Q1 Earnings Conference Call Transcript” (Nov. 3, 2021) (Exhibit 13 to the Expert Declaration of Jonathan Orszag in Support of Fubo’s Motion for Preliminary Injunction)				
PX096	Warner Bros. Discovery, Inc., “2022 Q3 Earnings Conference Call Transcript” (Nov. 3, 2022) (Exhibit 14 to the Expert Declaration of Jonathan Orszag in Support of Fubo’s Motion for Preliminary Injunction)				
PX097	Fox Corporation, “2024 Q2 Earnings Conference Call Transcript” (Feb. 7, 2024) (Exhibit 15 to the Expert Declaration of Jonathan Orszag in Support of Fubo’s Motion for Preliminary Injunction)				
PX098	Warner Bros. Discovery, Inc., “2023 Q4 Earnings Conference Call Transcript” (Feb. 23, 2024) (Exhibit 16 to the Expert Declaration of Jonathan Orszag in Support of Fubo’s Motion for Preliminary Injunction)				

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PX099	Digital MVPD Affiliation License Agreement between fuboTV Media Inc. and Disney Affiliates (Aug. 1, 2023) (Exhibit 10 to the Expert Declaration of James Trautman in Support of Fubo's Motion for Preliminary Injunction)				
PX100	Fubo, "US-English Total Channels Watched" (2023) (Exhibit 11 to the Expert Declaration of James Trautman in Support of Fubo's Motion for Preliminary Injunction)				
PX101	Second Amendment to Affiliation Agreement between fuboTV Media, Inc. and Fox Affiliates (Dec. 1, 2021) (Exhibit 17 to the Expert Declaration of James Trautman in Support of Fubo's Motion for Preliminary Injunction)				
PX102	Declaration of David Gandler in Support of Fubo's Motion for Preliminary Injunction (Apr. 8, 2024)				8/6
PX103	Declaration of Jon Janedis in Support of Fubo's Motion for Preliminary Injunction (Apr. 8, 2024)				
PX104	Fubo, "Summary: Estimated Impact of JV on Streaming Business" (Apr. 3, 2024) (Exhibit 1 to the Declaration of Jon Janedis in Support of Fubo's Motion for Preliminary Injunction)				8/8
PX105	Declaration of Todd Mathers in Support of Fubo's Motion for Preliminary Injunction (Apr. 8, 2024)		802; 805		
PX106	Digital MVPD Affiliation License Agreement between fuboTV Inc. and Disney Affiliates (Aug. 1, 2023) (Exhibit 2 to the Declaration of Todd Mathers in Support of Fubo's Motion for Preliminary Injunction)				
PX107	Affiliation Agreement between fuboTV Inc. and Fox Affiliates (Nov. 15, 2016), Part 1 of 3 (Exhibit 3 to the Declaration of Todd Mathers (Part 1) in Support of Fubo's Motion for Preliminary Injunction)				
PX108	Affiliation Agreement between fuboTV Inc. and Fox Affiliates (Nov. 15, 2016), Part 2 of 3 (Exhibit 3 to the Declaration of Todd Mathers (Part 2) in Support of Fubo's Motion for Preliminary Injunction)				
PX109	Affiliation Agreement between fuboTV Inc. and Fox Affiliates (Nov. 15, 2016), Part 3 of 3 (Exhibit 3 to the Declaration of Todd Mathers (Part 3) in Support of Fubo's Motion for Preliminary Injunction)				

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Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
PX110	Amendment to Affiliation Agreement between fuboTV, Inc. and Fox Affiliates (Dec. 31, 2019) (Exhibit 4 to the Declaration of Todd Mathers in Support of Fubo's Motion for Preliminary Injunction)				
PX111	Second Amendment to Affiliation Agreement between fuboTV Media, Inc. (fuboTV, Inc affiliate) and Fox Affiliates (Dec. 1, 2021) (Exhibit 5 to the Declaration of Todd Mathers in Support of Fubo's Motion for Preliminary Injunction)				
PX112	Intentionally Omitted				
PX113	Intentionally Omitted				
PX114	Email from T. Mathers to S. Miller re. Renewal (Exhibit 8 to the Declaration of Todd Mathers in Support of Fubo's Motion for Preliminary Injunction)		106; 802; 805		
PX115	Email from S. Flood to T. Mathers et al. re. Revised Disney draft (Exhibit 9 to the Declaration of Todd Mathers in Support of Fubo's Motion for Preliminary Injunction)		106; 802		
PX116	Declaration of Gary Schanman in Support of Fubo's Motion for Preliminary Injunction (Apr. 5, 2024)				8/7
PX117	Declaration of Robert Thun in Support of Fubo's Motion for Preliminary Injunction (Apr. 5, 2024)		602; 802		
PX118	Fubo, "2024 Global Stream Budget Review" presentation (Jan. 31, 2024)				
PX119	fuboTV Inc. "Action by Unanimous Written Consent of the Board of Directors" (Feb. 7, 2024)		401/402		
PX120	Fubo Subscriber Margins (US English)				
PX121	Aluma Insights, "Aluma: The New Disney-Fox-WBD Sports Bundle Could Put a Dent in Pay-TV Subscriptions" (2024)		802		
PX122	Aluma, "Consumer Receptivity to New Sports Bundling Services: ESPN D2C Streaming & the Disney-Fox-WBD Bundle" (Apr. 2024)		602; 802; 805		
PX123	David Satin, "Young Viewers Expected to Flock to Venu Sports in What Could Be Sports Broadcasting Tipping Point," The Streamable (May 29, 2024)		802		
PX124	Email from T. Mathers to A. Horiuela re. Connecting		802		
PX125	Email from T. Mathers to P. O'Connell et al. re. New rights		802; 805		
PX126	Email from J. Sweetwood to S. Marchesano et al. re. Updated Overview Deck		802		
PX127	Email from S. Breen to T. Mathers re. renewal				

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PX128	Email from T. Mathers to L. Morrissey et al. re. New rights		802; 805		
PX129	Email from A. Padte to J. Janedis re. Bridge to Profitability / Operational Metrics - Draft for review				
PX130	Renewal Agreement between fuboTV Media Inc. and Warner Bros. Discovery affiliates (Jan. 1, 2022)				
PX131	Email from T. Mathers to P. O'Connell et al. re. Disney open issues list				8/6
PX132	Email from P. O'Connell to T. Mathers et al. re. Disney open issues list				
PX133	Email from T. Mathers to E. Hunter et al. re. Disney open issues list				
PX134	Email from S. Flood to T. Mathers et al. re. Revised Disney draft		106; 802		8/6
PX135	Email from S. Flood to T. Mathers et al. re. Revised Disney Agreement		106		8/6
PX136	Email from P. O'Connell to T. Mathers et al. re. Disney Discussion Topics				
PX137	Email from T. Mathers to S. Miller re. Renewal		106; 802; 805		
PX138	Email from A. Sternberg to Fubo General Assembly re. Post Q3 Analyst Feedback and Reports Published		602; 802; 805		8/12
PX139	Affiliation Agreement between Fox Cable Network Services, Fox News Network, LLC, Fox Television Holdings, and fuboTV, Inc. (Nov. 15, 2016)				
PX140	First Amendment to Affiliate Agreement between Turner Network Sales, Inc. and fuboTV Inc. (Dec. 21, 2018)				
PX141	Marketing Finance Monthly Model				
PX142	First Views by Network spreadsheet				
PX143	Percent First Views by Network				
PX144	Email from J. Connolly to D. Fox re. Zoom: Justin Connolly (Disney) <> David Gandler (Fubo)				
PX145	Email from M. Maggs to D. Gandler re. DG Tomorrow - Thursday, January 25				
PX146	Email from J. Braccino to M. Anoshin re. Avg rev per employee		802		
PX147	2023 Conversions by campaign type Google Paid Ads				8/12
PX148	First Views by Network				
PX149	The Fubo Subscriber		802		
PX150	Fubo Demographics (US)		802		

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PX151	First Views by Station Genre and First Views by Station Genre (%)		802		
PX152	Survey responses spreadsheet		802		8/12
PX153	What streaming services do you pay for?		802		
PX154	Trial First Views - Last 12M				8/12
PX155	Retention Curves by Year - Updated thru May 2024 (US English)				
PX156	Response summary: prior to subscribing to Fubo were you a cable customer and were you ever a cable customer		802		
PX157	Sub Projections and Real Subs				
PX158	YOY Fubo Churned Customers SOW by Competitor		602		
PX159	fubo Ad Index February 2024				
PX160	Fubo - Custom Insight 2023 Complete Data				
PX161	fubo + Cardlytics: Dec. '23 - Feb. '24 Campaign Performance Review, Q1 Ad Index Refresh & Insights Timeline		602		
PX162	Latino + Ultimate Package Customer Insights		602		
PX163	Cancellation reasons spreadsheet		802		
PX164	Responses spreadsheet		802		
PX165	Responses spreadsheet		802		
PX166	Please tell us why you decided to end your fuboTV subscription		802		
PX167	Please tell us why you decided to end your fuboTV subscription		802		
PX168	FUBO OM 2024 Budget Media JV low		802		
PX169	Hours by station				
PX170	ABC Broadcast Programs Mapped to Primary Genre Group (7/1/23-6/30/24)				8/12
PX171	Conversion % by Primary Genre First View				
PX172	Fox Broadcast Programs Mapped to Primary Genre Group (7/1/23-6/30/24)				8/12
PX173	Sports FV by Station				8/12
PX174	New Subs by Trial Type - US English Plans				
PX175	Email from J. Glassel to D. Gandler et al. re. FOX Sports/FuboTV: potential partnership		FRCP 37(c)		
PX176	Email from D. Gandler to S. Brennan et al. re. FuboTV: Thank you		FRCP 37(c)		8/6

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PX177	Email from J. Glassel to D. Gandler et al. re. In LA 28th-30th		FRCP 37(c)		
PX178	Email from J. Fang to D. Gandler re. Fubo		FRCP 37(c)		8/6
PX179	Sum of longest views		602		8/12
PX180	Raw Search Campaign Data		602		
PX181	September 2023 Broadcaster Report (English Plans Only - Non-Brand Only - No Latino/Canada Campaigns)		602		
PX182	Email from B. Grad to P. O'Connell re. SEMN / fubo proposal				8/7
PX183	Email from S. Flood to B. Grad et al. re. Updated Proposal 3-13-18				8/7
PX184	FuboTV DMVPD Service Proposal draft				
PX185	Response Summary: prior to subscribing to Fubo were you a cable customer and Were you ever a cable customer		602; 802		
PX186	Responses spreadsheet		602; 802		
PX187	Affiliate Agreement between Turner Network Sales, Inc. and fuboTV Inc. (Aug. 17, 2018)				
PX188	Email from P. O'Connell to B. Grad et al. re. FuboTV (FXNG Networks) Term Sheet 11/22/1				
PX189	Amendment to Affiliation Agreement between Fox Cable Network Services, Fox News Network, LLC, Fox Television Holdings, and fuboTV, Inc. (Dec. 31, 2019)		FRCP 37(c)		
PX190	Digital MVPD Affiliation License Agreement between fuboTV Inc. and Disney Affiliates (June 24, 2020)				8/12
PX191	Second Amendment to Affiliation Agreement between Fox Cable Network Services, Fox News Network, LLC, Fox Television Holdings, LLC and fuboTV, Inc. (Dec. 1, 2021)		FRCP 37(c)		8/12
PX192	Digital MVPD Affiliation License Agreement between fuboTV Media Inc. and Disney Affiliates (Aug. 1, 2023)				8/6
PX193	Rate By Channel - 2024 FUBO versus Defendants "Kagan + 30%" Modeled Rate		602; 802		
PX194	Orszag New Exhibit		106; 602; 802		
PX195	Responses spreadsheet		602; 802		
PX196	Response Summary: Aside from Fubo, how many streaming services do you use?		602; 802		
PX197	Response Summary: What streaming services do you pay for?		602; 802		

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PX198	Response Summary: What other streaming services do you currently use that you don't pay for but have access to?		602; 802		
PX199	Response Summary: What about Fubo appeals to you most?		602; 802		
PX200	Response Summary: In addition to your Fubo subscriptions, do you subscribe to any other cable or satellite tv services? and If yes, which one?		602; 802		
PX201	2022 - 1Q24 Content Expense & Viewership for US-Eng-Base		602		
PX202	ESPN - Fox News - FX Channel Ad Revenue per Hour Viewed		602		
PX203	Trials and Top Shows - 10 Minute Intervals		602		8/12
PX204	Horowitz, State of Media, Entertainment, and Tech Volume II: Viewing Behaviors 2024 Edition		802		8/8
PX205	Google slide titled: "NewCo JV will contain all providers' premier sports networks and is expected to cost \$40-50 /month; publicly stated launch: Aug '24"	901	106; 602; 802		
PX206	Google presentation titled: "NewCo JV - YT workstreams"	901	106; 602; 802		
PX207	Google staff L. Conkling et al., "Disney/WBD/Fox Sports Streaming Announcement Briefing"	901	602; 802		
PX208	Google staff A. Shorey & A. Newman, "Implications for Google: ESPN (Disney), Warner Bros. Discovery and Fox JV Streaming-Sports Service," (Apr. 30, 2024)	901	602; 802		
PX209	Email from S. Mannapperuma to C. Orski et al. re. Deck for CFO Meeting - February 8, 2024		602; 802		
PX210	Email from D. Pietrycha to M. Schnaars et al. re. Sports JV		602; 802		
PX211	Email from C. Kohl to D. Arya et al. re. Sports Rights Contribution Analysis		602; 802		8/8
PX212	Email from C. Kilgore to A. Kini et al. re. Might be obvious		602; 802		
PX213	Email from D. Arya to C. Kilgore et al. re. 2 quick turn-around items		602; 802		
PX214	Email from M. Valkosky to A. Kini et al. re. Update on GRP Dataset		602; 802		
PX215	Email from S. Beltrame to D. DAMico et al.		602; 802		
PX216	Email from A. Kini to M. Valkosky et al. re. Ask for some Sports customer data		602; 802		8/9
PX217	Email from S. Beltrame to D. Arya et al. re. Sports JV - Pay TV TAM Draft		602; 802		
PX218	Email from D. DAMico to D. Arya et al. re. Sports JV - Pay TV TAM		602; 802		

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PX219	Email from J. Zasowski to J. Connolly et al. re. Verizon tech / production services in-kind value		802; 805		
PX220	Email from J. Connolly to S. Breen et al. re. Raptor				8/12
PX221	Email from S. Flood to S. Breen et al. re. Fubo				
PX222	Email from J. Connolly to S. Breen re. Verizon / Fubo Feedback		802		
PX223	Email from S. Breen to P. O'Connell et al. re. Fubo fully executed				
PX224	Email from J. Connolly to S. Breen et al. re. FY24 LRP PD Exec Assumption Check-in (Affiliate)				
PX225	Email from P. Garrison to S. Breen et al. re. Question: Project Raptor Rev Share				
PX226	Email from J. Lee to S. Breen et al. re. ESPN+ Blackout Solution - Content Gating by Provider				
PX227	Email from J. Zasowski to S. Breen et al. re. VZ/DTV Renewal - Point Counterpoint deck				
PX228	Email from P. Garrison to J. Warbrooke et al. re. Raptor Rate Compare				
PX229	Email from J. Connolly to S. Breen et al. re. FY24 LRP Renewals - Verizon, DTV, Google - Latest Materials				
PX230	Email from N. Suh to J. Zasowski et al. re. VZ and DirecTV Renewals				
PX231	Email from R. Blood to S. Breen re. Point Counter Point				
PX232	Email from S. Breen to S. Breen re. FY24 LRP Renewals 040124 10PM ET (4).pptx				
PX233	Email from S. Breen to S. Breen re. FY24 LRP Renewals - Verizon, DTV, Google - Latest Materials				
PX234	Email from S. Breen to S. Breen re. (D)MVPD Renewal - - updated slides				
PX235	Email from C. Aguiar to J. Connolly re. Importance of ESPN nets to a sports-focused streaming service				
PX236	Email from J. Warbrooke to J. Zasowski et al. re. VC: Amazon / Google Strategic Thoughts				8/9
PX237	Email from R. Langer to J. Connolly re. On sports and ESPN		401/402; 802		
PX238	Email from J. Connolly to B. Magnus et al. re. Fox meeting				8/7
PX239	Email from J. Warbrooke to J. Pitaro et al. re. Amazon pres				
PX240	Email from J. Pitaro to J. Pitaro re. First NBA question for panel				

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PX241	Email from J. Pitaro to J. Pitaro re. Churn NBA question				
PX242	Email from J. Pitaro to J. Pitaro re. Talking points on Raptor				
PX243	Email from J. Pitaro to R. Ferro et al. re. U.S. Sports Rights Breakdown		403		
PX244	Email from J. Pitaro to C. Aguiar et al. re. Board Approval for Sports Rights Agreements				
PX245	Email from J. Pitaro to C. Aguiar re. Pre-read materials for the February board meeting - ESPN				
PX246	Email from J. Pitaro to C. Aguiar et al. re. Raptor Update		602; 802		8/6
PX247	Email from J. Pitaro to K. Mayer re. Turner				
PX248	Email from J. Pitaro to A. Quadrani re. Disney: Is a Less Profitable Future Inevitable at ESPN?		802		
PX249	Email from B. Boyle to J. Pitaro et al. re. 2024 5YP Kick-off Meeting - Sports				
PX250	Email from J. Pitaro to J. Pitaro re. My staff				
PX251	Email from C. Aguiar to J. Pitaro re. Raptor				
PX252	Email from J. Pitaro to J. Warbrooke et al. re. raptor				
PX253	Email from J. Warbrooke to J. Pitaro et al. re. Raptor / Sports DMVPD update				8/7
PX254	Email from K. Jacobsen to J. Warbrooke et al. re. VC: Project Raptor - Modeling Follow-Up				
PX255	Email from C. Aguiar to T. Bayus et al. re. Business Model with Falcon Scenarios				8/12
PX256	Email from J. Pitaro to J. Connolly et al. re. Verizon tech / production services in-kind value		802; 805		
PX257	Email From P. Garrison to J. Warbrooke et al. re. Project Evolution - Latest deck and backup				8/12
PX258	Email from J. Warbrooke to P. Garrison et al. re. Raptor - Modeling Follow-Up		602		
PX259	Email from S. Breen to J. Warbrooke et al. re. MFN discussion				
PX260	Email from J. Warbrooke to P. Garrison et al re. Raptor Rate Compare				
PX261	ESPN, "ESPN-Fox Pricing Conjoint" presentation (Aug. 2023)		106; 802; 805		8/7
PX262	License Agreement between DISH Network L.L.C. and Disney Affiliates (Nov. 23, 2022)				
PX263	Email from J. Zasowski to J. Connolly et al. re. ESPN / Fox Compare				
PX264	Email from J. Connolly to D. O'Connell re. Final Raptor Docs				

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PX265	Email from K. Lansberry to R. Bay et al. re. Project Evolution Pre-Read materials				
PX266	Email from C. Robertson to H. Johnston et al. re. Earnings Materials		602		
PX267	Email from J. Pitaro to R. Bay et al re. PULSE: Media & Entertainment: Disney-Fox-WBD Create New Sports-First Streaming Venture, Product Coming Fall 2024		602; 802		
PX268	Email from J. Pitaro to C. Aguiar re. Roger Goodell Call		401/402; 403; 802		8/7
PX269	Email from J. Pitaro to R. Bay et al. re. ESPN Board decks				8/7
PX270	Email from J. Pitaro to C. Aguiar re. Bristol Trip - Agenda and Pre-Reads				8/12
PX271	Email from J. Warbrooke to J. Pitaro et al. re. NFL follow up				
PX272	The Walt Disney Company, “Board of Directors Strategic Initiatives Briefing” (Feb. 2024)				8/12
PX273	Email From K. Uhrle to J. Kapenstein et al. re. Project Evolution - Key next steps				
PX274	Email from M. Borrero to J. Warbrooke et al. re. Project Neptune Discussion		106		8/12
PX275	Email from J. Kapenstein to J. Warbrooke et al. re. Raptor - research				8/12
PX276	Email from K. Mayer to J. Warbrooke et al. re. 230819 Privileged and Confidential -- Project Evolution Discussion Materials				8/12
PX277	Email from L. Keiling to C. Aguiar et al. re. FOX				
PX278	Raptor Study Simulator (Aug. 22, 2023)		106; 602		
PX279	Email from P. Garrison to J. Warbrooke et al. re. Raptor Partnership considerations				8/12
PX280	Disney, “Strategic Initiatives Briefing” presentation (Jan. 18, 2024)				
PX281	Altman Solon, “Project Zenith Discussion Materials” presentation (Aug. 16, 2023)				8/12
PX282	Warner Bros. Discovery, “Raptor” presentation (Jan. 31, 2024)				
PX283	Email to C. McAllister et al. re. Project Raptor Business Model Comments				
PX284	Email from J. Walker to C. McAllister et al. re. Raptor pgs for DZ				
PX285	Email from B. Campbell to JB Perrette et al. re. ESPN				
PX286	Email from B. Campbell to J. Nallen et al. re. Please Read: Project Raptor - Remaining Open Term Sheet Issues				8/7
PX287	Email from B. Campbell to D. Fox re. Raptor: Loss of NBA Rights (Disney Proposal)				
PX288	Email from D. Fox to B. Campbell re. Raptor Noncompete Issue				8/12

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PX289	Joint Venture Term Sheet between Fox Sports Holdings, LLC, WarnerMedia Direct, LLC, and ESPN, Inc. (May 29, 2024)				8/12
PX290	Email to G. Wiedenfels et al. re. Raptor Materials				8/9
PX291	Email from D. Fox to J. Warbrooke et al. re. Business Model Overview Pages				
PX292	Email from D. Fox to C. Aguiar re. Business Model with Falcon Scenarios				
PX293	Email to B. Campbell re. fubo				
PX294	Email from S. Miller to M. Diaz et al. re. NBS Follow-Up				
PX295	Email from K. Clark to S. Miller et al. re. Zenith Project Sync / Distribution				
PX296	Email from B. Bryant to S. Miller et al. re. CNN Business: Live sports is migrating to streaming, taking with it a superpower of the cable TV bundle				
PX297	Email from R. Golomb to D. Barnes et al. re. Raptor				
PX298	Email from K. Clark to S. Miller et al.				
PX299	Email from S. Bergman to S. Miller et al. re. DTV Lunch		401/402		
PX300	Email to S. Miller re. QBR Slides				
PX301	Email from B. Bryant to S. Miller re. Raptor Release timing				
PX302	Email from S. Miller to S. Duncan et al. re. Fubo				
PX303	Email from S. Miller to B. Campbell re. NBA Review: Distribution Follow-Up				
PX304	Email from JB Perrette to B. Campbell et al. re. Confidential: Revised draft Raptor release				
PX305	Email from D. Fox to B. Campbell re. Project Raptor				
PX306	Email from B. Campbell to S. Miller re. fubo				
PX307	Email from S. Miller to B. Campbell re. Fubo - Intel				
PX308	Email from B. Campbell to S. Miller re. Charter - Draft Summary				
PX309	Email from P. Lee to B. Campbell et al. re. Lachlan said Sports JV business plan is for 5M subs within 5 years				
PX310	Email from B. Campbell to S. Miller et al. re. Renewal				8/9
PX311	Email from L. Silberwasser to B. Campbell re. Product - Raptor				
PX312	Email from P. Distad to B. Campbell et al. re. Follow-up from this mornings meeting				
PX313	Email from B. Campbell to F. Merchant et al. re. Privileged and Confidential: Pending Announcement Regarding Project Raptor (Sports JV)				

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PX314	Email from B. Campbell to S. Miller re. fuboTV				
PX315	Email from D. Fox to B. Campbell et al. re. Raptor Strawman Marketing Commitments				
PX316	Email from S. Miller to B. Campbell re. Next steps				
PX317	Email from S. Miller to B. Campbell re. Fubo 2Q'23 Earnings Summary - 8/4/23				
PX318	Email from B. Campbell to S. Miller re. 1-Pager on Scope/Focus				
PX319	Email from D. Fox to B. Campbell re. Raptor Deck				
PX320	Email from S. Miller to B. Campbell re. Raptor				
PX321	Email from C. McAllister to B. Campbell et al. re. Zenith Research & Financial Impact				
PX322	Email from S. Bisaria to B. Campbell et al. re. BC & GW : Strat Planning/LRP				
PX323	Email from C. McAllister to B. Campbell et al. re. Raptor pgs for DZ				
PX324	Warner Bros. Discovery, "Raptor" presentation (Jan. 31, 2024)				
PX325	Warner Bros. Discovery, "WBD Sports - Board of Directors Update" presentation (Aug. 2023)				8/9
PX326	Affiliate Agreement between WarnerMedia Network Sales, Inc. and Cox Communications (July 21, 2023)		401/402		
PX327	Affiliate Agreement between WarnerMedia Network Sales, Inc. and National Cable Television Cooperative, Inc. (May 1, 2023)		401/402		
PX328	Affiliate Agreement between WarnerMedia Network Sales, Inc. and Hulu, LLC (Dec. 19, 2022)		401/402		
PX329	DMVPD Distribution Agreement between Discovery and Hulu, LLC (Dec. 19, 2022)		401/402		
PX330	DMVPD Distribution Agreement between Scripps and Hulu, LLC (Dec. 19, 2022)		401/402		
PX331	Affiliate Agreement between Scripps Networks, LLC and WarnerMedia Network Sales, Inc. (Dec. 1, 2022)		401/402		
PX332	Affiliation Agreement between Warnermedia Network Sales, Inc. (f.k.a. Turner Network Sales, Inc.) and DISH Network L.L.C. (Nov. 12, 2021)		401/402		
PX333	Affiliate Agreement between WarnerMedia Network Sales, Inc. and DirecTV, LLC (Oct. 9, 2020)		401/402		
PX334	NASDAQ, fuboTV Inc. Common Stock (FUBO) Historical Data (July 22, 2023)				8/12

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PX335	The Walt Disney Company, “2024 Notice of Annual Meeting of Shareholders and Proxy Statement” (Feb. 1, 2024)				8/12
PX336	The Walt Disney Company, “Q1 FY24 Earnings Conference Call” (Feb. 7, 2024)				8/12
PX337	The Walt Disney Company, “3rd Annual MoffettNathanson Media and Communications Summit” (May 18, 2016)				8/9
PX338	DealBook Summit, “2023 Bob Iger Interview” (Nov. 30, 2023)				8/12
PX339	Disney Privilege Log (June 21, 2024)		401/402; 602		
PX340	Fox Privilege Log (June 21, 2024)		401/402; 403		
PX341	WBD Privilege Log (June 21, 2024)		401/402; 602		
PX342	Disney Amended Privilege Log (July 12, 2024)		401/402; 602		
PX343	Fox Amended Privilege Log (July 12, 2024)		401/402; 403		
PX344	Fubo Shareholder Letter (May 11, 2021)				
PX345	Fubo Q1 2021 Earnings Webcast (May 12, 2021)		802		
PX346	Fubo Q1 2021 Quarterly Filing (May 13, 2021)				
PX347	Fubo Shareholder Letter (Aug. 10, 2021)				
PX348	Fubo Q2 2021 Quarterly Filing (Aug. 11, 2021)				
PX349	Fubo Press Release, “fuboTV Delivered Recrd \$130.9M Revenue and 681,721 Total Subscribers in Q2 2021; Raises 2021 Guidance” (Aug. 19, 2021)				
PX350	Fubo Q2 2021 Earnings Webcast (Aug. 19, 2021)		802		
PX351	Fubo Press Release, “fuboTV Reaches One Million Subscribers” (Nov. 9, 2021)				
PX352	Fubo Q3 2021 Earnings Call Transcript (Nov. 9, 2021)		802		
PX353	Fubo Shareholder Letter (Nov. 9, 2021)				
PX354	Fubo Q3 2021 Quarterly Filing (Nov. 10, 2021)				
PX355	Fubo Press Release, “fuboTV Closed Q4 and FY 2021 With Record 1.13 Million Subscribers; Expects to Exceed \$1 Billion Revenue In 2022” (Feb. 23, 2022)				
PX356	Fubo Q4 2021 Earnings Call Transcript (Feb. 23, 2022)				
PX357	Fubo Shareholder Letter (Feb. 23, 2022)				8/12
PX358	Fubo Q4 2021 Quarterly Filing (Feb. 28, 2022)		802		8/12
PX359	Fubo 2021 Annual Report (Apr. 27, 2022)				8/12

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PX360	Fubo Press Release, “fuboTV Closed Q1 2022 with \$236.7M Revenue, 1.056 Million Subscribers in North America” (May 5, 2022)				
PX361	Fubo Q1 2022 Earnings Call Transcript (May 5, 2022)		802		
PX362	Fubo Shareholder Letter (May 5, 2022)		805		8/12
PX363	Fubo Q1 2022 Quarterly Filing (May 9, 2022)				8/12
PX364	Fubo Press Release, “FuboTV Releases Q2 2022 Financial Results” (Aug. 4, 2022)				
PX365	Fubo Q2 2022 Earnings Call Transcript (Aug. 4, 2022)		802		
PX366	Fubo Shareholder Letter (Aug. 4, 2022)				8/12
PX367	Fubo Q2 2022 Quarterly Filing (Aug. 8, 2022)				8/12
PX368	Fubo Press Release, “FuboTV Announces Q3 2022 Results; North American Streaming Business Delivered Record High 1,231,000 Subscribers, Exceeded Revenue Forecast” (Nov. 4, 2022)				
PX369	Fubo Q3 2022 Earnings Call Transcript (Nov. 4, 2022)		802		
PX370	Fubo Shareholder Letter (Nov. 4, 2022)		805		8/12
PX371	Fubo Q3 2022 Quarterly Filing (Nov. 7, 2022)				8/12
PX372	Fubo Press Release, “FuboTV Delivered Over \$1 Billion in Global Annual Revenue in 2022; Closed Year With \$984 Million in Revenue and 1.445 Million Subscribers in North America” (Feb. 27, 2023)				
PX373	Fubo Q4 2022 Earnings Call Transcript (Feb. 27, 2023)		802		
PX374	Fubo Q4 2022 Quarterly Filing (Feb. 27, 2023)				8/12
PX375	Fubo Shareholder Letter (Feb. 27, 2023)				8/12
PX376	Fubo Press Release, “Fubo Exceeded Q1 2023 Guidance for North America With \$316.5 Million Total Revenue and 1.285 Million Paid Subscribers, Raises Full Year 2023 Guidance; Reaffirms Expected 2025 Profitability Timeline” (May 5, 2023)				
PX377	Fubo Q1 2023 Earnings Call Transcript (May 5, 2023)		802		
PX378	Fubo Shareholder Letter (May 5, 2023)				8/12
PX379	Fubo Q1 2023 Quarterly Filing (May 8, 2023)				8/12

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Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
PX380	Fubo Press Release, “Fubo Delivered \$305 Million Total Revenue in North America in Q2 2023, Achieved Double Digit Year-Over-Year Revenue, Subscriber Growth and Exceeded Guidance” (Aug. 4, 2023)				
PX381	Fubo Q2 2023 Earnings Call Transcript (Aug. 4, 2023)		802		
PX382	Fubo Shareholder Letter (Aug. 4, 2023)				8/12
PX383	Fubo Q2 2023 Quarterly Filing (Aug. 7, 2023)				8/12
PX384	Fubo Press Release, “Fubo Exceeded Guidance in Q3 2023 With \$313 Million Total Revenue, up 43% Year-Over-Year, and Record 1.477 Million Paid Subscribers in North America; Raises Full Year 2023 Outlook” (Nov. 3, 2023)				
PX385	Fubo Q3 2023 Earnings Call Transcript (Nov. 3, 2023)		802		
PX386	Fubo Q3 2023 Quarterly Filing (Nov. 3, 2023)				8/12
PX387	Fubo Shareholder Letter (Nov. 3, 2023)				8/12
PX388	Fubo Press Release, “Fubo’s North American Business Closed Q4 2023 With Record 1.618 Million Paid Subscribers, 29% Year-Over-Year Revenue Growth; Exceeded Guidance Across Key Performance Metrics” (Mar. 1, 2024)				
PX389	Fubo Shareholder Letter (Mar. 1, 2024)				8/12
PX390	Fubo Q4 2023 Quarterly Filing (Mar. 4, 2024)				8/12
PX391	Fubo Press Release, “Fubo Exceeded Q1 2024 Guidance in North America, Delivering 1.511M Paid Subscribers, \$394M Total Revenue” (May 3, 2024)				
PX392	Fubo Q1 2024 Quarterly Filing (May 3, 2024)				8/12
PX393	Fubo Shareholder Letter (May 3, 2024)				8/12
PX394	Fubo Transcript of Earnings Call (May 3, 2024)		802		
PX395	PLACEHOLDER Q2 financial statements and/or earnings call transcripts for Fubo		802		
PX396	PLACEHOLDER Q2 financial statements and/or earnings call transcripts for Disney		Objections TBD		
PX397	PLACEHOLDER Q2 financial statements and/or earnings call transcripts for Fox		802		
PX398	PLACEHOLDER Q2 financial statements and/or earnings call transcripts for WBD		106; 602; Further Objections TBD		

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Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
PX399	Fox Corporation 2023 Form 10-K				
PX400	WBD Metadata Log Documents Withheld for Common Interest Privilege (July 21, 2024)		401/402		
PX401	Fubo Slide titled: “Other services that Fubo subscribers pay for”	901	FRCP 37(c); 403; 602; 802; 1006		8/12
PX402	Competitive Impact Statement, <i>United States v. The Walt Disney Company et al.</i> , Case No. 18-cv-5800 (S.D.N.Y. Aug. 7, 2018), ECF No. 21		401/402; 403; 602; 802		
PX403	Michael D. Whinston, GE-Electrolux Merger Analysis (Nov. 23, 2015), PX02015, <i>United States v. AB Electrolux</i> , Case No. 1:15-cv-01039-EGS (D.D.C. Nov. 25, 2015), ECF No. 342-1		401/402; 403; 802		
PX404	CNBC, “Warner Bros. Discovery CEO David Zaslav Talks Sports Streaming Bundle ‘Venu,’” (July 10, 2024), https://www.cnbc.com/video/2024/07/10/warner-bros-ceo-david-zaslav-on-sports-streaming-bundle-venue.html		403; 602; 802		8/12
PX405	Heather Dinich, “TNT Sports to Air Select CFP Games Through Sublicense with ESPN,” ESPN (May 22, 2024)		401/402; 602; 802		
PX406	Peacock, Your Go-To for Hit Moveis, TV, Live Sports & More, Pick Your Plan webpage, (July 22, 2024), https://www.peacocktv.com/#:~:text=With%20Peacock%20Premium%2C%20you%20can,more%20to%20satisfy%20your%20FOMO		602		8/12
PX407	Paramount+, A Mountain of Entertainment, Pick Your Plan webpage (July 22, 2024), https://www.paramountplus.com/?intcid=CIA-16-10bah4e		602; 802		8/12
PX408	Fubo Investor Day 2022 presentation (Aug. 17, 2022)				
PX409	Sling, Programming and Plans webpage (July 23, 2024), https://www.sling.com/programming/sports?msocid=1c1dfa1c05496735043df7d904cb66f2		802		
PX410	Letter from FuboTV Inc. et al. to Congressional Committees re. future of competition in pay-TV		401/402; 403; 602; 802		
PX411	DOJ Civil Investigative Demand Letter to DISH		401/402; 403; 602; 802		
PX412	Email from J. Nallen to E. Shanks et al. re. Sports DTC - 2 Reports		401/402; 403; 602; 802		

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Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
PX413	Email from G. Brown to J. Nallen et al. re. UBS Q&A		401/402; 403; 602; 802		8/7
PX414	Fox presentation titled: Project Raptor OOC Approval Request		401/402; 403; 602; 802		8/12
PX415	NFL Network Affiliation Agreement between NFL Enterprises LLC and fuboTV Media Inc. (July 30, 2021)		401/402		
PX416	Email from Dropbox Sign to T. Mathers re. You just signed Sinclair - KJZZ				
PX417	Email from DocuSign to A. Marchesano et al. re. Completed: Complete with DocuSign: beIN-Fubo US Twelfth Amendment (BEIN CLEAN 8.24.2023)				
PX418	Email from Dropbox Sign to T. Mathers re. You just signed MASN - Executive Copy		602; 802; 805		
PX419	Email from T. Mathers to J. Shin re. MSGN/Fubo - fully executed		602; 802; 805		
PX420	Email from T. Mathers to J. Reyna re. KNSN				
PX421	Email from T. Mathers to J. Reyna re. fubo				
PX422	Email from S. Marchesano to T. Mathers re. MLB Network Agreements		602; 802		
PX423	Email from J. Sweetwood to T. Mathers re. Renewals		106		
PX424	Email from T. Mathers to B. Grad re. Completed: Complete with DocuSign: Fubo - NBA TV and LP 2023 Agreement FINAL		802		
PX425	Email from J. Sweetwood to T. Mathers re. Renewals				
PX426	Content Distribution Agreement between fuboTV Media Inc. and Scripps Media, Inc. (Jan. 24, 2024)		802 (parent email)		
PX427	Email from M. Chin to J. Earley et al. re. DTC 101 for Hugh		802 (parent email)		
PX428	Advertising Revenue		802 (parent email)		
PX429	Email from B. Campbell to J.B. Perrette et al. re. ESPN		802 (parent email)		
PX430	Email from D. Fox to P. Distad re. Raptor				
PX431	"US to scrutinize Disney, Fox, Warner sports streaming deal, Bloomberg Law reports," Reuters (Feb. 16, 2024)		602		

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Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
PX432	ACA Press Release, “ACA Connects Statement on the Anticompetitive Sports Streaming Juggernaut” (Feb. 7, 2024)		106; 403; 602; 802		
PX433	Arbitration Agreement, <i>United States v. AT&T Inc., DIRECTV Group Holdings, LLC, and Time Warner Inc.</i> , Case No. 1:17-cv-02511 (D.D.C. Mar. 13, 2018)				
PX434	Comments of the ACA Connects, <i>In the Matter of Fostering Independent and Diverse Sources of Video Programming</i> , MB Docket No. 24-115 (FCC June 6, 2024)		802; 805		
PX435	Comments of the American Independent Media, Inc., <i>In the Matter of Fostering Independent and Diverse Sources of Video Programming</i> , MB Docket No. 24-115 (FCC June 6, 2024)		401/402; 403; 602; 802; 805		
PX436	Comments of the American Television Alliance, <i>In the Matter of Fostering Independent and Diverse Sources of Video Programming</i> , MB Docket No. 24-115 (FCC June 6, 2024)		802; 805		
PX437	Competitive Impact Statement, <i>United States v. The Walt Disney Company et al.</i> , Case No. 18-cv-5800 (S.D.N.Y. Aug. 7, 2018)		403; 602; 802; 805		
PX438	Complaint, <i>Turner Broadcasting System, Inc. and Warner Bros. Discovery, Inc. v. National Basketball Association, NBA Ventures, LLC and NBA Properties, Inc.</i> , Index No. 653721/2024 (N.Y. Sup. Ct. July 26, 2024)		602		8/9
PX439	Complaint, <i>United States v. AT&T Inc., DIRECTV Group Holdings, LLC, and Time Warner Inc.</i> , Case No. 1:17-cv-02511 (D.D.C. Nov. 20, 2017)		602		
PX440	Complaint, <i>United States v. The Walt Disney Company et al.</i> , Case No. 18-cv-5800 (S.D.N.Y. June 27, 2018)		403; 602; 802; 805		8/9
PX441	Dan Weil, “ESPN Streaming Channel May Be coming, but It Won’t be Cheap,” <i>The Street</i> (May 23, 2023)		802; 805		
PX442	David Halberstam, “In a changing world, TV experts Ed Desser nad John Kosner share how fans will watch sports in the future,” <i>Sports Broadcast Journal</i> (Apr. 22, 2021)		403; 602; 802		
PX443	Ed Desser, “Weathering Climate Change in Sports Media,” <i>LinkedIn</i> (Sept. 21, 2015)				
PX444	Fox Corporation, “Earnings Release for the Quarter Ended March 31, 2024” (May 8, 2024)		401/402; 403; 602; 802; 805		
PX445	Fox Investor Day Transcript (May 9, 2019)				
PX446	John Ourand, “Sports Media: Fox Sports consults Big Ten in media rights negotiations,” <i>Sports Business Journal</i> (Apr. 18, 2022)		106; 403; 602; 802; 805; 1002		

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PX447	Letter from U.S. Reps. J. Nadler and J. Castro to B. Iger, L. Murdoch, and D. Zaslav re. proposed sports streaming joint venture (Apr. 16, 2024)		602		
PX448	Letter from U.S. Reps. J. Nadler and J. Castro to B. Iger, L. Murdoch, and D. Zaslav re. response to April 16 letter (June 7, 2024)				
PX449	Status Conference Hearing Transcript (July 25, 2024)	901	403; 602; 802; 805		
PX450	Slide titled: Big Ten football games available on live pay TV services (2023-24)	901	602; 802; 1006		
PX451	Supplemental Expert Declaration of Jonathan Orszag		602		
PX452	The Walt Disney Company, “The Walt Disney Company Reports Second Quarter and Six Months Earnings for Fiscal 2024” (May 7, 2024)		401/402; 403; 602; 802; 805		
PX453	Updated Expert Declaration of James Trautman		401/402; 602		8/12
PX454	Updated Expert Declaration of Jonathan Orszag		401/402; 602; 802		8/8
PX455	Warner Bros. Discovery, “Warner Bros. Discovery, Inc. Reports First Quarter 2024 Earnings Results” (May 9, 2024)		106; 403; 602; 802; 805; 1002		
PX456	Email from J. Lancer to P. Cheesbrough et al. re. Raptor - remaining exec level issues				8/12
PX457	Email from D. Fox to J. Lancer re. Eagle Comments				
PX458	Email from A. Reiss to C. Neal et al. re. Project Raptor Antitrust Call - Agenda Items				
PX459	Email from M. Dugan to A. Verveer et al. re. Project Raptor Talking Points + Q&A				
PX460	Email from J. Connolly to C. LaPlaca et al. re. Charter IR deck				8/9
PX461	Intentionally Omitted				
PX462	Intentionally Omitted				
PX463	Intentionally Omitted				
PX464	Intentionally Omitted				
PX465	Intentionally Omitted				
PX466	Draft email forwarding email from R. Blood to R. Nelson et al. re. DIRECTV/TWDC Renewal Term Sheet				8/9
PDX 001-034	Fubo Opening Demonstrative			8/6	8/12

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PDX 101-105, 107-124	J. Trautman Demonstrative			8/6	8/12
PDX 201-202	D. Gandler Demonstrative			8/6	8/12
PDX 301-306	T. Mathers Demonstrative			8/6	8/12
PDX 401-405	S. Marchesano Demonstrative			8/7	8/12
PDX 501-516	A. Horihuela Demonstratives				8/8
PDX 601-612	J. Janedis Demonstratives				8/8
PDX 701-714	J. Orszag Demonstratives				8/8
PDX 901-1020	Fubo Closing Demonstrative				8/12
DX001	Yahoo! Finance article, "fuboTV Inc. (FUBO): Historical Data"				8/12
DX002	CNBC article, "FuboTV CEO David Gandler thinks 5 million people could subscribe to its bundle of TV networks by 2026"		Hearsay; 401/402; 403		8/6
DX003	Business Insider article, "FuboTV insiders describe how its 'doomed' sportsbook collapsed in a year--and what it means for the future of the streaming company"		Hearsay; 401/402; 403		8/12
DX004	Fool.com article, "fuboTV Stock Is Tumbling Because It's a Terrible Business"	901/902	Hearsay; 401/402; 403		8/6
DX005	Nasdaq article, "3 Reasons to Avoid fuboTV Stock"	901/902	Hearsay; 401/402; 403		8/6
DX006	Letter to D. Gandler re: Clean Slate Agreement (Exhibit 2 of Declaration of J. Wesley Earnhardt in Support of Disney's Motion to Dismiss [dkt. 130-2])				
DX007	Los Angeles Times article, "Disney and Charter end blackout, returning ESPN and ABC to Spectrum TV "		Hearsay		
DX008	Sports Business Journal article, "YES, MSG partner for new GAME streaming offering"		401/402		

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DX009	Fubo article, "Statement From Fubo Regarding Sports Streaming JV"				8/6
DX010	The Streamable article, "How Joint Venture Sports Streamer From Disney, Fox and Warner Bros. Discovery Points to Streaming's Possible Future"		Hearsay		
DX011	Form 10-K, EchoStar		Hearsay		
DX012	The Motley Fool article, "Fubo FYQ4 2023 Earnings Call Transcript"				8/6
DX013	Fubo Form 10-K FY 2023				8/6
DX014	Yahoo Finance article, "EchoStar Corporation (NASDAQ:SATS) Q4 2023 Earnings Call Transcript"		Hearsay		
DX015	Initial Pretrial Conference Transcript		Hearsay; 401/402		
DX016	Sports Business Journal article, "Many possibilities for NBA rights as market opens"				
DX017	The Hollywood Reporter article, "FuboTV Drops to 1.5M North American Subscribers in First Quarter"		Hearsay; 401/402; 403		
DX018	Fubo article, "Fubo - Governance - Management Team: David Gandler"	901/902			
DX019	List of Channels from Fubo's Website				8/6
DX020	Reuters article, "NBA finalizes \$76 bln broadcasting deal with Disney, Amazon, Comcast, the Athletic reports"		Hearsay		
DX021	Expert Declaration of Edwin S. Desser				8/12
DX022	Rebuttal Expert Declaration of Michael D. Whinston, PHD				8/12
DX023	Plaintiffs' Third Supplemental Responses and Objections to Disney Defendants' First Set of Interrogatories				
DX024	Inflow/Outflow Research May Results Deck	901/902	Lack of Foundation; Hearsay		
DX025	Weekly Market & Competitive Insights Deck	901/902	Lack of Foundation; Hearsay		
DX026	Weekly Market & Competitive Insights Deck	901/902	Lack of Foundation; Hearsay		

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DX027	Weekly Market & Competitive Insights Deck	901/902	Lack of Foundation; Hearsay		
DX028	Service and Platform Requirement Excel	901/902	Lack of Foundation; Hearsay		
DX029	DirecTV and Viacom - Affiliation Agreement				
DX030	Agreement between AT&T and American Movie Classic Company LLC, Women's Entertainment LLC, The Independent Film Channel LLC, Sundance Channel LLC	901/902			
DX031	Agreement between AT&T and New Video Channel America, LLC	901/902			
DX032	Agreement between DIRECTV, LLC and AMC Network Entertainment LLC, IFC TV LLC, Sundance TV LLC, WE TV LLC, and New Video Channel America, LLC	901/902			
DX033	Agreement between DIRECTV, LLC and AMC Network Entertainment LLC, IFC TV LLC, Sundance TV LLC, WE TV LLC, and New Video Channel America, LLC	901/902			
DX034	Agreement between DIRECTV, LLC and AMC Network Entertainment LLC, IFC TV LLC, Sundance TV LLC, WE TV LLC, and New Video Channel America, LLC	901/902			
DX035	Amendment to 9/1/2020 Agreement between DIRECTV, LLC and AMC Network Entertainment LLC, IFC TV LLC, Sundance TV LLC WE TV LLC, and New Video Channel America, LLC	901/902			
DX036	Agreement between AT&T and Bloomberg L.P.	901/902			
DX037	Agreement between AT&T and Bloomberg L.P.	901/902			
DX038	Amendment to Bloomberg Television MVPD Affiliation Agreement	901/902			
DX039	Amendment to 1/13/2006 Agreement between AT&T and Bloomberg L.P.	901/902			
DX040	Amendment to 1/1/2008 Agreement between AT&T and Bloomberg L.P.	901/902			
DX041	Amendment to 1/1/2008 Agreement between AT&T and Bloomberg L.P.	901/902			
DX042	Fifth Amendment to Short-Form Agreement				
DX043	Email from D. Wong to D. Espinosa and T. Najera re: Falcon market rates		Hearsay		
DX044	Email from D. Espinosa to J. Nallen, et al. re: A debate		Hearsay; 106		
DX045	Amendment to Affiliation Agreement				
DX046	Amendment between Fox B10 Channel Partner, Inc. and CSC Holdings, LLC				

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DX047	Amendment to Fox News Channel and Fox Business Network Affiliation Agreements				
DX048	Fox-Charter Letter Agreement				
DX049	2020 Term Sheet				
DX050	Fox-DIRECTV Renewal Term Sheet				
DX051	Citizens Telecom Service Co dba Frontier Communications Global Affiliation Agreement (10-24-14)				
DX052	FuboTV Media, Inc. - Second Amendment to Affiliation Agreement				8/8
DX053	Affiliation Agreement between Fubo and Fox				
DX054	First Amendment to Affiliation Agreement between Fubo and Fox				
DX055	Second Amended and Restated Affiliation Agreement between Fox and Hulu				
DX056	First Amendment to Global Master Affiliation Agreement between Fox and NCTC				
DX057	Affiliation Agreement between Fox and Puerto Rico Telephone Company				
DX058	Fox Financial Snapshot Excel		Lack of Foundation; Hearsay		
DX059	Email from J. Nallen to G. Brown re: MS Q&A For Review, with attachment		Hearsay		
DX060	E-mail from D. Espinosa to R. Thun, et al. re: Thank you!		Hearsay		
DX061	Email from D. Espinosa to H. Nguyen and J. Fang re: Raptor Rates, with attachment		Hearsay		
DX062	Email from J. Lutzky to D. Espinosa and J. Fang re: Fubo June Subs		Hearsay; 403		
DX063	Email from D. Espinosa to J. Nallen re: DIRECTV "No Locals" Announcement		Hearsay		
DX064	Email from L. Murdoch to J. Nallen re: Directv		Hearsay		
DX065	Project Zenith Research Overview Slide Deck		Hearsay		
DX066	Fox Sunday NFC Package Term Sheet		Hearsay; 401/402; 403		
DX067	Email from J. Nallen to D. Martin re: 2/28 Update, with attachment		Hearsay		8/8
DX068	Email from D. Espinosa to J. Lancer, et al. re: Initial notes for Raptor discussion		Hearsay		
DX069	Email from P. Distad to T. Connolly, et al re: Next steps on rates		Hearsay		
DX070	Venu Firewall Policy for Third Party Competitively Sensitive Information		Hearsay		8/7

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DX071	Email from T. Mathers to S. Miller re: WBD - Fubo Discussion Points Draft, with attachment				
DX072	Email from S. Marchesano to T. Mathers re: Turner / Discovery Sub Scenarios				
DX073	Email from T. Mathers to J. Sweetwood re: Updated Overview Deck, with attachments				
DX074	Email from S. Miller to T. Mathers re: Fubo/Turner nets				
DX075	Email from J. Janedis to T. Mathers re: Disney		401/402; 403		
DX076	Email from S. Miller to T. Mathers re: Fubo/Turner nets				
DX077	Email from L. Morrissey to T. Mathers re: Disney Renewal				
DX078	Email from T. Mathers to L. Morrissey re: Disney Renewal, with attachments				
DX079	Email from T. Mathers to P. O'Connell re: follow-up				
DX080	Email from T. Mathers to P. O'Connell re: Kagan Numbers				
DX081	Email from T. Mathers to P. O'Connell re: Kagan numbers, with attachment				
DX082	Email from S. Marchesano to T. Mathers re: Kagan numbers, with attachment				
DX083	Email from T. Mathers to M. Elizondo and S. Marchesano re: Disney Renewal				
DX084	Email from T. Mathers to J. Sweetwood re: Disney Competitive Analysis Deck, with attachment				
DX085	Email from T. Mathers to L. Morrissey re: Disney Proposal				
DX086	Email from M. Elizondo to T. Mathers re: Turner/Discovery				
DX087	Email from M. Berkley to D. Gandler re: Barclays: Why Bundles May Not Be Effective in Video Streaming				
DX088	Email from M. Berkley to D. Gandler re: Barclays: Why Bundles May Not Be Effective in Video Streaming				
DX089	Email from A. Horiuela to Fubo Team re: What's a SupAg?, with attachment				
DX090	FuboTV Strategic Context and Approach Deck				
DX091	First Views (2021-2024) by Sports vs. Non-Sports Excel				
DX092	Email from T. Mathers to D. Gandler and A. Horiuela re: WBD vs. NBCU Scenario Slides				
DX093	Email from T. Mathers to J. Shin re: WBD vs. NBCU Scenario slides, with attachment				
DX094	Email from S. Miller to T. Mathers re: fubo/WBD, with attachment				8/9

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DX095	Email from B. Grad to S. Marchesano re: Fubo/Flames/Oilers @ Tue, Nov 14, 2023 5:30pm-6:00pm (GMT-05), with attachments				
DX096	Fubo Investor Day Talking Points - Content - Talk Track				
DX097	Email from A. Padte to A. Sternberg re: Q1 Shareholder Outline to Guide Tomorrow's Discussion, with attachment				8/12
DX098	Email from A. Padte to J. Janedis re: 2Q/FY24 Guidance Draft (April 16, 2024), with attachment				8/12
DX099	Email from B. Varma to J. Janedis and D. Gandler re: Analyst Estimates Revisions - Post 4Q23, with attachment				8/12
DX100	Email from J. Shin to A. Horihuela re: Bridge to Profitability / Operational Metrics - Draft for review, with attachment				
DX101	Email from A. Padte to J. Janedis and A. Sternberg re: fubo Transcripts - 4Q22 and 1Q23, with attachments				
DX102	Email from A. Horihuela to Y. Wang re: INPUT NEEDED // Re: WBD Max NBA Playoffs 4/16-6/3 FuboTV RFP				
DX103	Email from A. Horihuela to I. Josephson, et al. re: Subscriber Pacing [Feb, 2024], with attachment				
DX104	Email from Y. Wang to A. Horihuela re: Fubo <> Antenna Follow Up				
DX105	Email from B. Grad to A. Horihuela re: The state of things				
DX106	Email from A. Horihuela to D. Gandler re: Bridge to Profitability / Operational Metrics - Draft for review, with attachment				
DX107	Email from D. Gandler to M. Berkley and A. Horihuela re: CBS streaming 30 fps issue for 2+ years		Hearsay; 403		
DX108	Email from D. Gandler to A. Horihuela re: B&T Budget for 2023				
DX109	Email from J. Blanc to A. Horihuela re: Risk Mitigation on the Path to Profitability		Hearsay		
DX110	Email from A. Horihuela to Fubo Management re: Risk Mitigation on the Path to Profitability				
DX111	Email from A. Horihuela to Y. Wang re: Offsite Pre-Read - This is misleading since we don't eve...				

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Exhibit Number¹	Description	Authenticity Objection	Admissibility Objection	Date Identified	Date Admitted
DX112	Email from Y. Wang to C. Savio and C. Voight re: Mariners & Fubo Followup, with attachment		602		
DX113	Email from B. Grad to A. Horihuela re: Risk Mitigation on the Path to Profitability				
DX114	Email from J. Sweetwood to B. Grad re: Freemium Offsite Deck, with attachment				
DX115	Research Report Topic: OTT & Sports: Services and Strategies for Growth Industry Report	901/902	Hearsay; 602		
DX116	SVP Strategic Partnerships Press Release				
DX117	Instant Messages, April 6, 2024				8/12
DX118	Instant Messages, July 13, 2023				
DX119	Instant Messages, January 10, 2024				8/8
DX120	Instant Messages, May 18, 2023				
DX121	Instant Messages, February 26, 2024				
DX122	Instant Messages, May 5, 2023				
DX123	Instant Messages, May 22, 2023				
DX124	Instant Messages, August 18, 2023				8/8
DX125	Instant Messages, August 1, 2023				
DX126	Instant Messages, December 20, 2023				
DX127	Instant Messages, January 3, 2024				
DX128	Instant Messages, April 25, 2024				
DX129	Instant Messages, April 24, 2023				
DX130	Instant Messages, February 6, 2024				
DX131	Instant Messages, February 19, 2024				8/7
DX132	Instant Messages, April 12, 2024				
DX133	Fubo Content Overview Deck				8/6
DX134	Fubo 2023-Present Content Overview Excel Spreadsheet				
DX135	Offsite Pre-Read: What's Next?				
DX136	Fubo Board Meeting Slide Deck				
DX137	NBCUniversal Distribution Agreement				

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DX138	Charge!/TBD/The Nest - Fubo Binding Term Sheet				
DX139	YES Network/Fubo Term Sheet				
DX140	POP Network Digital Simulcast Agreement "POP Network OTT and VOD Agreement"				8/12
DX141	CBS Sports Network Digital Simulcast Agreement				
DX142	Smithsonian Networks Service Agreement for Internet Distribution				8/12
DX143	Viacom Media Networks/fuboTV Binding Term Sheet				8/7
DX144	Distribution Agreement				
DX145	Ninth Amendment to Distribution Agreement (TelevisaUnivision)				
DX146	Thirteenth Amendment to Distribution Agreement (TelevisaUnivision)				8/12
DX147	Letter from E. McIlvain to B. Grad re: Over-the-top distribution terms				8/7
DX148	Second Amendment to Amended and Restated Letter Agreement				8/7
DX149	Content Distribution Agreement between FuboTV, Inc. and Newsmax Broadcasting, LLC				
DX150	Email from A. Horihuela to Fubo General Assembly re: The state of things, with attachment				
DX151	Email from E. Gerson to A. Horihuela re: NBC/turner				
DX152	Email from P. O'Connell to T. Mathers re: Disney open issues list				
DX153	Email from T. Mathers to A. Horihuela, et al. re: NBC/turner				
DX154	Email from A. Horihuela to T. Mathers re: NBC/turner strategy				
DX155	Email from A. Horihuela to D. Gandler re: Sorry for length...				8/8
DX156	Email from WBD Affiliate Relations to T. Mathers re: Notice of Extension Option, with attachment				8/9
DX157	Email from T. Mathers to A. Horihuela re: NBC/turner strategy				
DX158	Email from A. Horihuela to T. Mathers re: Presentation shared with you: "Offsite", with attachment				
DX159	Email from T. Mathers to D. Gandler, et al. re: Revised Disney Draft, with attachments				8/7
DX160	Email from T. Mathers to G. Sheldon re: Revised Disney Agreement, with attachments				
DX161	Affiliate Agreement with Turner Network Sales, Inc.				8/6
DX162	Email from S. Miller to T. Mathers re: Proposed WBD Term Sheet		Hearsay		

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DX163	Email from A. Padte to J. Shin re: Latest FY24 Budget Deck, with attachment				8/12
DX164	Email from A. Horihuela to E. Renard, et al. re: Weekly KPI Update - 03/04/2024 (Feb-24 Preliminary Recap)				
DX165	Email from J. Press to A. Horihuela re: DRAFT Q4 FY 2023 DG SCRIPT				
DX166	Email from Y. Wang to E. Gerson re: Fwd: Fwd: PBS Findings				
DX167	Email from J. Janedis to D. Gandler re: Investor Day Deck Attached, with attachments				
DX168	Instant Messages, September 28, 2023				8/8
DX169	Instant Messages, February 7, 2024				
DX170	Instant Messages, February 20, 2024				
DX171	Email from J. Reyna to M. Elizondo re: Disney open issues list				
DX172	Email from T. Mathers to S. Marchesano, et al. re: renewal				
DX173	Email from J. Janedis to T. Mathers re: DEMN Renewal, with attachment				
DX174	Email from J. Press to J. Press (BCC'ing fubotv@fubo.tv) re: Fubo Media Policy and Messaging Documents, with attachments				
DX175	Email from T. Mathers to S. Miller re: Privileged: Proposed WBD Term Sheet, with attachment				
DX176	Email from A. Sternberg to E. Bronfman, et al. re: FUBO Q4 2023 Analyst Comments Highlights, with attachments		Hearsay		
DX177	Paramount Global FuboTV Media Inc. Cable Services Binding Term Sheet				8/7
DX178	Distribution Agreement between NBCUniversal and FuboTV				8/12
DX179	Amendment No. 2 to Fubo TV Letter Agreement for Distribution of GSN				8/7
DX180	Fubo TV Letter Agreement for Distribution of GSN				
DX181	Content Distribution Agreement between FuboTV, Inc. and CPE US Networks III Inc.				
DX182	First Amendment to Content Distribution Agreement		Hearsay		
DX183	Email from M. Bravo to J. Connolly, et al. re: Fubo Q3'23 Earnings Update, with attachment (Fubo Q3'23 Earnings Update)		Hearsay		
DX184	Email from S. Flood to L. Morrissey, et al. re: Revised Disney Agreement- FUBO, with attachments				

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DX185	Email from S. Flood to L. Morrissey, et al. re: Revised Disney Agreement- FUBO, with attachments				
DX186	Email from E. Greenberg to M. McDonnell, et al. re: Fubo - TWDC 7/14 Proposal Summary, with attachment				
DX187	Email from S. Breen to J. Connolly re: Fubo Renewal Update - 6.8 Proposal, with attachments		Hearsay		
DX188	Email from J. Connolly to J. Zasowski and S. Breen re: Industry Update: Citi Research - Linear Sports Tier, with attachment	901/902	Hearsay; 602		
DX189	Email from S. Breen to S. Flood re: Revised Disney draft, with attachments				
DX190	Email from S. Corrigan to J. Connolly re: Fubo Deal Announcement - Executive Summary		Hearsay		8/9
DX191	Email from C. Aguiar to J. Nallen and J. Pitaro re: Potential Partnership		Hearsay		8/7
DX192	ESPN/Fox - Key Distribution Principles		Hearsay		
DX193	Email from J. Connolly to D. Fox re: MVPD Negotiations Review with Alan, with attachment		Hearsay		
DX194	Email from J. Pitaro to S. Swartz re: Raptor release, with attachment		Hearsay		
DX195	Email from C. Aguiar to J. Pitaro re: Bullets for Fox Meeting + Additional Reading, with attachments	901/902	Hearsay; 602		
DX196	Email from J. Pitaro to B. Patel re: Industry Update: Morgan Stanley - The Big, Skinny, Sports Bundle, with attachments	901/902	Hearsay; 602		
DX197	Term Sheet between Charter and Disney ("2023 Omnibus Term Sheet")				
DX198	Distribution License Agreement between DIRECTV, AT&T and ESPN				
DX199	License Agreement between TWDC and DISH			8/9	8/12
DX200	Amendment No. 1 to Specified 4K Content Term Sheet				
DX201	Draft Raptor Content License Standard Distribution Terms				
DX202	Email from R. Blood to R. Thun, et al. re: TWDC/DIRECTV Renewal Term Sheet, with attachment			8/9	8/12
DX203	Email from A. Rosenberg to P. O'Connell, et al. re: TWDC counter - complete agreement, with attachments	901/902	Hearsay; 602	8/9	8/12

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DX204	Email from S. Flood to J. Connolly re: David Gandler (Fubo) 6.29 Meeting Prep Deck, with attachments		Hearsay		
DX205	Charter Term Sheet A			8/9	8/12
DX206	Email from L. Morrissey to G. Rigdon, et al. re: Comcast Offer and Proposal, with attachments			8/9	8/12
DX207	Email from L. Morrissey to J. Smith and F. Kurath re: Disney-Comcast Live TV Tier Proposal, with attachment			8/9	8/12
DX208	Spectrum TV Stream agreement			8/9	8/12
DX209	Email from J. Connolly to J. Saltman, et al. re: David Gandler (Fubo) 6.29 Meeting Prep Deck		Hearsay		
DX210	Email from A. LeBerge to C. Aguiar re: Fox and turner call		Hearsay		8/7
DX211	Email from J. Warbrooke to J. Pitaro, et al. re: IN PERSON: Project Evolution (& other transactions) Update with Bob, with attachment				
DX212	DirecTV Term Sheet			8/9	8/12
DX213	Email from B. Campbell to D. Fox re: Director's Note: Fox/ESPN JV		Hearsay		
DX214	Email from P. Lee to D. Zaslav, et al. re: Another Raptor Analysis, with attachment		Hearsay; 602		
DX215	Email from D. Fox to P. Lee re: Raptor, with attachment		Hearsay; 602		
DX216	Email from S. Miller to T. Mathers re: fubo/WBD				
DX217	Email from S. Miller to B. Campbell re: fubo/WBD		Hearsay		
DX218	Email from S. Miller to B. Campbell and D. Zaslav re: Charter		Hearsay		
DX219	Email from S. Miller to S. Duncan re: PRINTING, with attachments		Hearsay		
DX220	Email from J. Cross to T. Mathers and G. Sheldon re: Agreements, with attachments				
DX221	Email from B. Campbell to G. Wiedenfels, et al. re: MM		Hearsay		
DX222	Email from D. Fox to J. Nallen, et al. re: Raptor Business Model Deck, with attachment		Hearsay		8/9
DX223	Email from M. Dugan to S. Sims, et al. re: Raptor TS - Executed, with attachments		Hearsay		
DX224	Email from S. Miller to B. Campbell re: WBD - Fubo Discussion Points Draft, with attachment				8/9
DX225	Email from J. Perrette to B. Campbell et al. re: 1-Pager on Scope/Focus		Hearsay		
DX226	Raptor P&L Excel		Hearsay		

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DX227	OTT Distribution Agreement				8/6
DX228	Letter from G. Saverhoff to B. Grad re: New Subscriber Promotion and Upgrade Promotion				
DX229	First Amendment to OTT Agreement				8/6
DX230	Extension Agreement to OTT Distribution Agreements				
DX231	Extension Agreement to OTT Distribution Agreements				
DX232	2023 Term Sheet Amendment				
DX233	Email from T. Mathers to S. Miller re: Privileged: Proposed WBD Term Sheet, with attachment				8/9
DX234	Email from S. Miller to T. Mathers re: Fubo/Turner nets				8/9
DX235	Email from S. Miller to T. Mathers re: Renewal				8/9
DX236	J. Connolly Summary Exhibit				8/9
DDX 01.1-1.38	Defense Opening Demonstrative			8/6	8/12
DDX 02.1-2.2	Mathers Cross Demonstrative			8/6	8/12
DDX 03.1	Marchesano Cross Demonstrative			8/7	8/12
DDX 04.1-4.5	Horiuela Cross Demonstrative			8/8	8/12
DDX 05.1-5.10	Desser Direct Demonstrative			8/8	8/12
DDX 06.1-6.2	Connolly Direct Demonstrative			8/9	8/12
DDX 08.1-8.25	Whinston Direct Demonstrative			8/9	8/12
DDX 10.1-10.9	Schanman Cross Demonstrative			8/7	8/12
DDX 11.1-11.81	Defense Closing Demonstrative				8/12